

APPROVED 12-6-10
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES OF THE
PLANNING & ZONING COMMISSION

Minutes of the Planning & Zoning Commission meeting held on Monday, November 8, 2010 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

James J. Giulietti, Chairman
Theresa Ranciato-Viele, Vice Chairman
Brian R. Cummings, Secretary
Douglas E. Roberts
Vern E. Carlson
Curtis Andrews, Sr., Alternate
Richard E. Wilson, Alternate

MEMBERS ABSENT:

Edward M. Homa, Alternate

OTHERS PRESENT:

Alan A. Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Mary Lee Rydzewski, Public Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Giulietti, Chairman, opened the meeting at 7:04 p.m. and introduced the Commissioners, alternates, town staff and the clerk and asked if there were any changes to the agenda. Mr. Giulietti explained that applications #4 and #5 will be heard first due to the anticipated length of applications #1, #2 and #3.

SITE PLANS:

4. #P10-21 Site Plan Application of The Granite Group Wholesalers, LLC, Applicant, 6 Storrs Street, LLC, Owner, relative to 300 Sackett Point Road, (Map 36, Lot 2). Plan Entitled: The Granite Group, Site Development Plan Showing Outside Storage Area, Prepared by Bascom & Benjamin, LLC, Dated October 2010. Scale 1" = 20'.

Mr. Doug Liebal and Mr. Ken Charles of The Granite Group Wholesalers, LLC, presented the application to permit the expansion of the paved areas to the north and east of the existing building on the site and the utilization of these areas for outside storage. No expansion of the existing building is being proposed. The Commission asked questions and Mr. Liebal and Mr. Charles responded.

5. #P10-22 Site Plan Application of Christopher D. Kidd, Applicant, Northside Plaza LLC, relative to 510 Washington Avenue, (Map 95, Lot 7). Plan Entitled: Liberty Dialysis –North Haven, 510 Washington Avenue, North Haven, Connecticut 06473, Prepared by Christopher D. Kidd, Dated 9/20/10. Scale 3/6" = 1'. CB-40 Zoning District.

Mr. Edward Johnson, architect, presented the application to modify a previously approved site plan to include the installation of a standby diesel generator in the rear of the building. Mr. Giulietti addressed the unauthorized storage of outside medical waste and a dumpster in an unauthorized location. The Commission asked questions and Mr. Johnson and Mr. Ginsberg, owner of 510 Washington Avenue, responded.

EXTENSIONS:

Attorney Timothy Lee explained to the Commission why the applicant is seeking an extension.

#P06-25, 828 Thompson Street

Mr. Carlson moved to approve a one (1) month extension to the December 6, 2010 meeting for application #P06-25, 828 Thompson Street; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

CHANGE OF USE:

411 Universal Drive -Urgent Care Center

Mr. Phil Noto and Dr. Aggarwal presented the Change Of Use application from retail to medical.

Mr. Carlson moved to approve the Change of Use from retail to an Urgent Care Center; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

411 Universal Drive -Ava Nails 2

Mr. Wen Xu presented the Change Of Use application from retail to service.

Mr. Carlson moved to approve the Change of Use from retail to a nail salon; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

OTHER:

281 Washington Avenue – Modifications

Mr. Alan Fredricksen, Land Use Administrator, presented the modification to permit extending the rear of a soon to be constructed 2,525 square feet, single story addition from 33' to 40'. The Commission asked questions and Mr. Fredricksen responded.

Mr. Carlson moved to approve the modification to application #P10-13, 281 Washington Avenue; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

PUBLIC HEARINGS:

Mr. Cummings read the call for the Public Hearing.

The Commission elected to hear applications #P10-19S, P10-09 and #P10-09A together.

1. #P10-19S Fill Permit Application (as authorized by Section 8.9.9) of the State of Connecticut - Department of Environmental Protection, Applicant, North Haven Tire Disposal, Inc, Owner, relative to 441 State Street, (Map 27, Lot 1). Plan Entitled: Filling and Closure Operations Plan, Tire Pond Closure Project, Existing Conditions, State Street, Hamden/North Haven, Connecticut. Prepared by Loureiro Engineering Associates, Inc., Dated 8/10/10. Scale 1" = 50'. IG-80 Zoning District.

SITE PLANS:

2. #P10-19 Site Plan Application of the State of Connecticut - Department of Environmental Protection, Applicant, North Haven Tire Disposal, Inc, Owner, relative to 441 State Street, (Map 27, Lot 1). Plan Entitled: Boundary & Topographic Survey, Prepared for Tire Pond Closure Project – CT DEP; State Street, Hamden/North Haven, CT. Prepared by Loureiro Engineering Associates, Inc., Dated 8/18/10. Scale 1" = 60'. IG-80 Zoning District.
3. #P10-19A CAM Application of the State of Connecticut - Department of Environmental Protection, Applicant, North Haven Tire Disposal, Inc, Owner, relative to 441 State Street, (Map 27, Lot 1). Plan Entitled: Boundary & Topographic Survey, Prepared for Tire Pond Closure Project – CT DEP; State Street, Hamden/North Haven, CT. Prepared by Loureiro Engineering Associates, Inc., Dated 8/18/10. Scale 1" = 60'. IG-80 Zoning District.

Ms. Diane Duva and William Sigmond of the Department of Environmental Protection, and Mr. Fiereck, P.E. and Brian Cutler of Loureiro Engineering presented the application to permit the closure of this landfill site.

The applicant's most recent calculations indicate that 440,000 cubic yards of material are needed to achieve the final landform. The applicant is seeking permission to fill to the final proposed grades and obtain Site Plan approval required for the construction of the drainage structures and the 24' wide perimeter, gravel access road.

At the October 27, 2010 Inland Wetlands meeting the Commission approved a Wetland Boundary Amendment application and a Permit to Conduct regulated Activity with a Positive Site Plan Referral. The Commission asked questions and Ms. Duva, Mr. Sigmond and Mr. Fiereck responded.

BREAK: 8:55 – 9:08 PM

Mr. Giulietti asked for public comment:

Public comment:

1. Tom White, 67 Summer Lane, spoke in opposition to the 828 Thompson Street extension request. He stated that there is a drainage issue regarding this project and that he would be in favor of a smaller development with one acre lots.
2. Paul Stetson of North Haven spoke regarding the Quinnipiac River Watershed Association. He is concerned with the Quinnipiac River becoming contaminated and would like the site monitored and asked if there was a plan to capture contaminants.
3. Mary White, 67 Summer Lane, asked if the town's independent consultant for the tire pond would be testing for contaminants in the pond and if the soil from the Hamden's Newhall site would also be tested. She also spoke regarding the drainage design for the 828 Thompson Street project. She asked the Commission to look at a previous engineering report from Mark Goodin, P.E. that explains why the drainage design would fail for this site.
4. Joan Mazurek, 154 Cloudland Road, submitted pictures of homes from Hamden's Newhall site and exhibits #2 - #7. She is concerned with the Quinnipiac River becoming contaminated. She asked about monitoring of the site, the location of a wooden dike, and if a contingency plan was in place if the dike were to fail. She also questioned the DEP's credibility.
5. Bob Mazurek, 154 Cloudland Road, asked why more fill needs to be deposited on this site and if the additional fill is due to Hamden's Newhall project needing a site to deposit their fill. He also asked if the weight of the soil would create outward pressure causing the water in the pond to leach into the Quinnipiac River.

Ms. Duva and Mr. Cutler responded to the public comment.

Mr. Carlson moved to continue the Public Hearing for application #P10-19S, 441 State Street, to the December 6, 2010 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

Mr. Carlson moved to amend the motion to include continuing applications #P10-19 and #P10-19A, 441 State Street, to the December 6, 2010 meeting; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

DELIBERATION SESSION:

SITE PLAN:

4. #P10-21 Site Plan Application of The Granite Group Wholesalers, LLC, Applicant, 6 Storrs Street, LLC, Owner, relative to 300 Sackett Point Road.

Mrs. Ranciato-Viele moved to approve the application; Mr. Cummings seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

The application was approved with appropriate conditions.

5. #P10-22 Site Plan Application of Christopher D. Kidd, Applicant, Northside Plaza LLC, relative to 510 Washington Avenue.

Mrs. Ranciato-Viele moved to approve the application subject to the following conditions; an amended site plan showing the elimination of the outside medical waste container, comply with the noise ordinance for daytime testing of the generator, and provide four (4) parking spaces labeled “Compact Cars”; Mr. Carlson seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

The application was approved with appropriate conditions.

BOND RELEASES & REDUCTIONS:

Mr. Jonathan Bodwell, Town Engineer, discussed the following bonds with the Commission.

#P07-24, 40 Half Mile Road

Mr. Cummings moved to release the bond for application #P07-24, 40 Half Mile Road, in the amount of \$5,000.00; Mrs. Ranciato-Viele seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson – aye

#P06-01, Brewster Lane – discussion with the Commission regarding the possibility of pulling the bond.

Mr. Mike Libertine, an independent consultant representing the Town of North Haven, answered questions from the Commission regarding the tire pond.

CORRESPONDENCE: - Connecticut Landscape, Fall 2010
Commission Training Program, Segment 3

MINUTES:

October 4, 2010

Mrs. Ranciato-Viele moved to approve the minutes of the October 4, 2010 meeting;
Mr. Roberts seconded the motion. The Commission voted as follows:

Giulietti – aye Ranciato-Viele – aye Cummings – aye Roberts – aye Carlson –aye

ADJOURN:

There being no further business, Mr. Carlson moved to adjourn; Mr. Cummings seconded the motion. The meeting was adjourned at 10:50 PM.